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Attorneys for United States of America

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

| | | |
|---------------------------|---|--|
| UNITED STATES OF AMERICA, |) | Criminal No. CR 07-0094 MAG |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | [PROPOSED] ORDER AND |
| |) | STIPULATION EXCLUDING TIME |
| |) | FROM JUNE 20, 2008 TO JULY 18, 2008 |
| SHAUN C. BATES, |) | |
| |) | |
| Defendant. |) | |
| |) | |

The parties appeared before the Honorable Joseph C. Spero on June 20, 2008.

With the agreement of counsel for both parties, the Court found and held as follows:

1. The parties agree to an exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161(b), from June 20, 2008, to July 18, 2008, due to the unavailability of the defendant.

Defendant was not present at the June 20, 2008, hearing and therefore time is excludable under the Speedy Trial Act pursuant to 18 U.S.C. § 3161(h)(3)(A).

2. Given these circumstances, the Court found that the ends of justice served by

**[PROPOSED] ORDER AND
STIPULATION EXCLUDING TIME
CR 07-0094 MAG**

1 excluding the period from June 20, 2008, to July 18, 2008, outweigh the best interest of the
2 public and the defendant in a speedy trial. Id. § 3161(h)(8)(A).

3 3. Accordingly, and with the consent of the defendant, the Court ordered that the period
4 from June 20, 2008, to July 18, 2008, be excluded from Speedy Trial Act calculations under 18
5 U.S.C. § 3161(h)(3)(A).

6 IT IS SO STIPULATED.

7
8 DATED: 7/1/08

_____/s/_____
9 RON TYLER
Assistant Federal Public Defender

10
11 DATED: 6/30/08

_____/s/_____
12 WENDY THOMAS
Special Assistant U.S. Attorney

13 IT IS SO ORDERED.

14
15 DATED: 7/14/08

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17 United States District Judge
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